

REMARKS

Claims 1-30 remain pending in the present application. Claims 39 and 40 have been cancelled. Claims 1, 2, 4, 6, 8, 9, 11, 14, 15-17, 19, 21, 23, 24, 26 and 30 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

OBJECTION TO AMENDMENT

The amendment filed on April 2, 2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. Applicant would like to thank Examiner Ciric for her time and consideration in the various telephone conversations which helped to understand and amend the claims to overcome this objection.

Independent Claims 1 and 16 have been amended to define the cold accumulator as being a self-contained cold accumulator disposed in the case between the cooling heat exchanger and the air mixing door. The cold accumulator having a cold accumulating material sealed therein. Applicants believe that this amendment clearly defines the cold accumulator of the present invention as being separate from the refrigeration cycle. As shown in Figure 1, there is no connection between the refrigeration cycle R and the cold accumulator 40.

Withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 4, 5, 14, 16, 19, 20, 29, 39, and 40 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the

specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants believe the amendments to the claims noted above overcome the rejections under 35 U.S.C. § 112. Reconsideration of the rejection is respectfully requested.

Claims 1, 4, 5, 14, 16, 19, 20, 29, 39, and 40 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have made additional amendments to the claims to improve their clarity and overcome this rejection. Reconsideration of the rejection is respectfully requested.

REJOINDER

Applicant respectfully requests rejoinder of Claims 2, 3, 6-13, 15, 17, 18, 21-28 and 30.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the


Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

OCTOBER 8, 2003

By:


Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg